

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KELVIN THORNTON,)	
)	
Petitioner,)	
vs.)	NO. CIV-11-0039-HE
)	
HECTOR A. LEDEZMA, Warden,)	
)	
Respondent.)	

ORDER

Petitioner Kelvin Thornton, appearing *pro se*, filed this case seeking habeas corpus relief pursuant to 28 U.S.C. § 2241. He also filed a motion requesting leave to proceed *in forma pauperis*. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Gary M. Purcell, who recommended that the petitioner's motion for leave to proceed *in forma pauperis* be denied and the petition be dismissed without prejudice unless petitioner paid the filing fee by February 2, 2011.


Petitioner did not object to the Report and Recommendation but has since paid the filing fee. *See* Doc. # 7. Therefore, the Report and Recommendation is adopted insofar as it recommended denial of petitioner's motion for IFP status [Doc. #3]. In light of the payment of the fee, this matter is referred back to Magistrate Judge Purcell under § 636 for preliminary review, for conducting necessary hearings, including evidentiary hearings, for the entry of appropriate orders as to non-dispositive matters,¹ and for the preparation and submission to the undersigned judge of proposed findings and recommendations as to

¹*Petitioner currently has a motion to appoint counsel pending. [Doc. # 8].*

dispositive matters referenced in § 636(b)(1)(B) and (C).

IT IS SO ORDERED.

Dated this 18th day of March, 2011.



JOE HEATON
UNITED STATES DISTRICT JUDGE